

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 12-917V

Filed: February 27, 2014

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EDWARD PRATT,

* **NOT TO BE PUBLISHED**

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* Special Master
* Hamilton-Fieldman

Petitioner,

*

*

v.

*

SECRETARY OF HEALTH
AND HUMAN SERVICES,

* Decision on Attorneys' Fees
and Costs.

*

Respondent.

*

* * * * *

Danielle Strait, Washington, DC, for Petitioner.

Lisa Watts, Washington, DC, for Respondent.

DECISION¹ (ATTORNEY FEES AND COSTS)

In this case under the National Vaccine Injury Compensation Program,² Special Master Hamilton-Fieldman issued a Decision on November 21, 2013. On February 27, 2014, the parties filed a stipulation concerning attorney's fees and costs in this matter. The parties' stipulation requests a total payment of \$34,234.18 in attorneys' fees and

¹ The undersigned intends to post this Decision on the United States Court of Federal Claims' website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, § 205, 116 Stat. 2899, 2913 (codified as amended at 44 U.S.C. § 3501 note (2006)). As provided by Vaccine Rule 18(b), each party has 14 days within which to request redaction "of any information furnished by that party (1) that is trade secret or commercial or financial information and is privileged or confidential, or (2) that are medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy." Vaccine Rule 18(b). Otherwise, "the entire" decision will be available to the public. *Id.*

² The applicable statutory provisions defining the program are found at 42 U.S.C. § 300aa-10 *et seq.* (2006).

costs. In accordance with General Order #9, Petitioner's counsel noted that Petitioner did not incur any costs related to the litigation of this case.

The undersigned finds that this petition was brought in good faith and that there exists a reasonable basis for the claim. Therefore, an award for fees and costs is appropriate, pursuant to 42 U.S.C. § 300aa-15(b) and (e)(1). The undersigned finds said stipulation reasonable and adopts it as the decision of the Court in awarding attorneys' fees and costs, on the terms set forth therein.

I hereby award a lump sum of \$34,234.18, in the form of a check payable jointly to Petitioner and Petitioner's counsel, Danielle Strait, Esq., forwarded to the main office of Maglio, Christopher & Toale, located at 1605 Main Street, Suite 710, Sarasota, Florida 34236.

In the absence of a timely-filed motion for review filed pursuant to Appendix B of the Rules of the U.S. Court of Federal Claims, the clerk of the court shall enter judgment in accordance herewith.

IT IS SO ORDERED.

/s/ Lisa D Hamilton-Fieldman.
Lisa D Hamilton-Fieldman
Special Master